

1 JOSH COLE AICKLEN  
2 Nevada Bar No. 007254  
3 Josh.Aicklen@lewisbrisbois.com  
4 TIMOTHY P. ELSON  
5 Nevada Bar No. 011559  
6 Timothy.Elsom@lewisbrisbois.com  
7 LEWIS BRISBOIS BISGAARD & SMITH LLP  
8 6385 S. Rainbow Boulevard, Suite 600  
9 Las Vegas, Nevada 89118  
10 PH: 702.893.3383  
11 FAX: 702.893.3789  
12 Attorneys for Defendants ALLIED PROPERTY  
13 & CASUALTY INSURANCE COMPANY and  
14 NATIONWIDE MUTUAL INSURANCE COMPANY

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

TONI MAXWELL, individually,

CASE NO. 2:11-cv-01861-PMP-VCF

Plaintiff,

vs.

ALLIED PROPERTY AND CASUALTY  
INSURANCE COMPANY, an Iowa  
Corporation dba ALLIED INSURANCE, a  
Nationwide Company; NATIONWIDE  
MUTUAL INSURANCE COMPANY; an  
Iowa Corporation dba Nationwide  
Insurance; DOES I-X, inclusive; ROE  
CORPORATIONS XI-XX, inclusive,

## Defendants.

**STIPULATION AND ORDER DISMISSING PLAINTIFF TONI MAXWELL'S COMPLAINT  
IN ITS ENTIRETY WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff TONI MAXWELL (hereinafter "Plaintiff") and Defendants ALLIED PROPERTY & CASUALTY INSURANCE COMPANY and NATIONWIDE MUTUAL INSURANCE COMPANY (hereinafter "Defendants"), through their respective counsel of record, that Plaintiff TONI

111

1 MAXWELL's Complaint shall be dismissed in its entirety with prejudice, each party to bear  
2 their own attorneys' fees and costs.

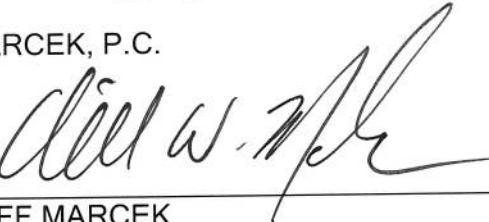
3 **IT IS FURTHER STIPULATED AND AGREED** that this matter is scheduled for trial  
4 on November 5, 2013 and the Calendar Call is scheduled for October 30, 2013. There are  
5 no other hearings pending before this Court.

6 DATED this 16<sup>th</sup> day of October, 2013

DATED this 10 day of October, 2013

7 LEWIS BRISBOIS BISGAARD & SMITH LLP MARCEK, P.C.

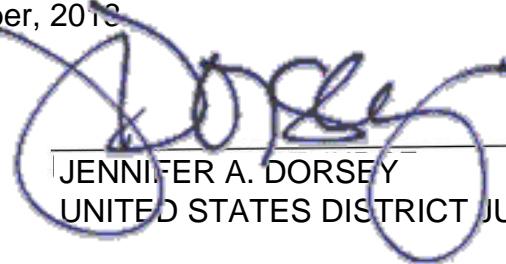
8   
9 By JOSH COLE AICKLEN  
10 Nevada Bar No. 007254  
11   
12 TIMOTHY ELSON  
13 Nevada Bar No. 011559  
14 6385 S. Rainbow Boulevard, Suite 600  
15 Las Vegas, Nevada 89118  
16 Attorneys for Defendants ALLIED  
17 PROPERTY & CASUALTY INSURANCE  
18 COMPANY and NATIONWIDE MUTUAL  
19 INSURANCE COMPANY

20   
21 By CLIFF MARCEK  
22 Nevada Bar No. 005061  
23 700 S. Third St.  
24 Las Vegas, NV 89101  
25 Attorneys for Plaintiff TONI MAXWELL

1 **ORDER FOR DISMISSAL WITH PREJUDICE**

2 Upon stipulation of the parties, by and through their respective counsel of record,  
3 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that Plaintiff TONI  
4 MAXWELL's Complaint shall be dismissed in its entirety with prejudice, each party to bear  
5 their own attorneys' fees and costs.

6 Dated this 16th day of October, 2013

7   
8 JENNIFER A. DORSEY  
9 UNITED STATES DISTRICT JUDGE

10 Respectfully Submitted by:

11 LEWIS BRISBOIS BISGAARD & SMITH LLP

12

13 /s/ Timothy Elson

14 Josh Cole Aicklen, Esq.  
15 Nevada Bar No. 007254  
16 Timothy Elson, Esq.  
17 Nevada Bar No. 011559  
18 6385 S. Rainbow Boulevard, Suite 600  
19 Las Vegas, Nevada 89118  
20 Attorneys for Defendants ALLIED PROPERTY &  
21 CASUALTY INSURANCE COMPANY and  
22 NATIONWIDE MUTUAL INSURANCE COMPANY

23

24

25

26

27

28